

REMARKS

Claims 1-30 are currently pending in the subject application and are presently under consideration. Claims 1, 13, 16 and 21 have been amended as shown on pp. 2-5 of the Reply. The below comments present in greater detail distinctive features of applicant's claimed invention over the cited art that were conveyed to the Examiner over the telephone on July 8, 2007. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-19 and 21-29 Under 35 U.S.C. §101

Claims 1-19 and 21-29 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claims 1, 13, 16 and 21 have been amended herein to recite a technological environment that produces a concrete, useful and tangible result. Accordingly, it is respectfully requested that this rejection be withdrawn.

II. Rejection of Claims 1-5, 10-13, 15, 21, 23-27, and 30 Under 35 U.S.C. §102(e)

Claims 1-5, 10-13, 15, 21, 23-27, and 30 stand rejected under 35 U.S.C. §102(e) as being anticipated by Fein *et al.* (U.S. 6,565,608). It is respectfully requested that this rejection be withdrawn for at least the following reasons. Fein *et al.* does not disclose, teach or suggest each and every limitation of the subject claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that "*each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.*" In re Robertson, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (quoting Verdegaal Bros., Inc. v. Union Oil Co., 814 108 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added). "*The identical invention must be shown in as complete detail as is contained in the ... claim.*" Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, ~~1920~~ 316 (Fed. Cir. 1989) (emphasis added).

Applicant's claimed invention relates to facilitating designation of appropriate responses to system events. Upon the occurrence of a system event, message

components are received. Message components include one or more messages specifying context and a rationale relating to the event and/or an aspect of the event. (*See Summary*). In particular, independent claim 1 (and similarly independent claims 13 and 21) recites *a computer-implemented interactive user messaging system comprising a receiver component that receives message components corresponding to events, each message component includes a plurality of messages relating to at least part of a particular event and an assist component that provides one or more menu items corresponding to the respective messages of the message components in connection with addressing the events*. Fein *et al.* does not disclose, teach or suggest such aspects.

Fein *et al.* relates to providing custom content that supplements static content in an alert message. In response to a predetermined condition, the alert message is displayed to a user. The alert message display includes a button that links to a remove web page containing custom supplemental information. (*See Abstract*). The predetermined condition is associated with a unique identifier employed to locate a URL for supplemental information from a data store. (*See col. 3, 58-63 and col. 12, ln. 66 – col. 13, ln. 60*). The displayed alert message contains a single message relating to a condition (*e.g.* an error) and, further, a single control object (*e.g.* button or hyperlink) to supplemental information is provided. (*See col. 3, ll. 10-63 and Fig. 6*). Thus, Fein *et al.* relates to providing a single link to supplemental information relating to a single static alert message generated by an application. The cited reference is silent regarding message components including a plurality of message relating to a particular event and one or menu items corresponding to each message of the message components as recited by the subject claims. Accordingly, Fein does not disclose, teach or suggest each and every limitation of the subject claims.

In view of at least the foregoing, it is respectfully submitted that Lai does not disclose, teach or suggest each and every limitation recited by independent claims 1, 13 and 21 (and the subsequent dependent claims which depend there from). Accordingly, this rejection should be withdrawn and the claims allowed.

III. Rejection of Claims 6-8, 14, 28, and 29 Under 35 U.S.C. §103(a)

Claims 6-8, 14, 28, and 29 stand rejected under 35 U.S.C. §103(a) as being

obvious over Fein *et al.* in view of Pittore (U.S. 6,414,699). Withdrawal of this rejection is requested for at least the following reasons. The cited references do not teach or suggest each and every limitation of the subject claims. Claims 6-8 depend from independent claim 1, claim 14 depends from independent claim 13 and claims 28-29 depend from independent claim 21. Pittore does not cure the aforementioned deficiencies of Fein *et al.* with respect to independent claims 1, 13 and 21. Accordingly, it is respectfully requested that this rejection be withdrawn.

IV. Rejection of Claim 9 Under 35 U.S.C. §103(a)

Claim 9 stands rejected under 35 U.S.C. §103(a) as being obvious over Fein *et al.* in view of Boulton *et al.* (U.S. 5,566,291). This rejection should be withdrawn for at least the following reason. Claim 9 depends from independent claim 1 and Boulton *et al.* does not cure the aforementioned deficiencies regarding independent claim 1. In particular, Boulton *et al.* does not teach or suggest a message component including a plurality of messages relating to at least part of a particular event. Thus, withdrawal of this rejection is respectfully requested.

V. Rejection of Claims 16 and 18-20 Under 35 U.S.C. §103(a)

Claims 16 and 18-20 stand rejected under 35 U.S.C. §103(a) as being obvious over Fein *et al.* in view of Gallagher *et al.* (U.S. 6,314,449). It is respectfully requested that this rejection be withdrawn for at least the following reasons. Fein *et al.* and Gallagher *et al.*, either alone or in combination, do not teach or suggest each and every limitation of the subject claims.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) ***must teach or suggest all the claim***

limitations. See MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. See *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

Independent claim 16 recites *a computer-implemented method for providing users with help associated with computer system events comprising receiving a message component relating a system event, **generating a list of one or more messages retrieved from the message component, the one more messages relate to different aspects of the system event** and generating menu items associated with each message in the list of messages.* The cited references do not teach or suggest such aspects.

In the subject Office Action, the Examiner concedes that Fein *et al.* does not disclose generating a list of one or more messages retrieved from the message component and relies on Gallagher *et al.* to provide such teaching. Applicant's representative respectfully asserts that Gallagher *et al.* does not cure the aforementioned deficiencies of Fein *et al.* with respect to independent claim 16. Rather, Gallagher *et al.* relates to accessing log messages from applications in a distributed network. (See col. 1, ll. 41-46). As various remote agents run, log messages are stored. The log messages report various occurrences or events. These disparate log messages are accessed *via* a browser. (See Figs. 4 and 5). The disparate log messages are displayed in serial form as a list. However, the log messages correspond to distinct occurrences. Gallagher *et al.* is silent regarding a list of one or more messages relating to different aspects of a system event. Thus, Gallagher *et al.* does not teach or suggest all limitations of the subject claims and, further, fails to make up for the aforementioned deficiencies of Fein *et al.*

In view of at least the foregoing, it is readily apparent that Fein *et al.* and Gallagher *et al.*, alone or in combination, fail to teach or suggest the invention as recited in independent claim 16 (and associated dependent claims). Accordingly, this rejection should be withdrawn and the claims allowed.

VI. Rejection of Claim 17 Under 35 U.S.C. §103(a)

Claim 17 stands rejected under 35 U.S.C. §103(a) as being obvious over Fein *et*

al. in view of Gallagher *et al.* and further in view of Smith *et al.* (U.S. 5,678,013). Withdrawal of this rejection is requested for at least the following reasons. The cited references do not teach or suggest each and every limitation of the subject claims. Claim 17 depends from independent claim 16. Smith *et al.* does not cure the aforementioned deficiencies of Fein *et al.* and Gallagher *et al.* with respect to independent claim 16. Accordingly, it is respectfully requested that this rejection be withdrawn.

VII. Rejection of Claim 22 Under 35 U.S.C. §103(a)

Claim 22 stands rejected under 35 U.S.C. §103(a) as being obvious over Fein *et al.* in view of Smith *et al.* Withdrawal of this rejection is requested for at least the following reasons. The cited references do not teach or suggest each and every limitation of the subject claims. Claim 22 depends from independent claim 21. Smith *et al.* does not cure the aforementioned deficiencies of Fein *et al.* with respect to independent claim 21. Accordingly, it is respectfully requested that this rejection be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP618US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,
Amin, Turocy & Calvin, LLP

/Himanshu S. Amin/
Himanshu S. Amin
Reg. No. 40,894

Amin, Turocy & Calvin, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731